

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is requested. Claims 5-20, 22-23, and 25-29 are in this application. Claims 16-18, 20, 22, and 25-26 have been amended. Claims 1-4, 21, and 24 have been cancelled. Claims 5-15 and 20 have been allowed. (Claim 20 was amended to correct an inadvertent error.)

Applicant requests the Examiner to indicate whether FIGS. 1A, 1B, and 2A-2H of the substitute formal drawings filed on October 17, 2003 (and received by the PTO on October 20, 2003) have been entered into the application. In a supplemental paper sent by the Examiner on September 20, 2004, the Examiner indicated that the drawings submitted on October 3, 2003 had been accepted. Applicant, however, has no record of any drawings being submitted on October 3, 2003. As a result, applicant requests clarification.

The Examiner rejected claims 16-17 under 35 U.S.C. §102(b) as being anticipated by Alter (U.S. Patent No. 4,979,001). For the reasons set forth below, applicant respectfully traverses this rejection.

Claim 16 has been amended to recite, in part:

“forming a first well and a second well of a second conductivity type in the semiconductor material, the first and second wells being spaced apart, the second well surrounding the first well.”

In rejecting the claims, the Examiner pointed to N- epitaxial layer 14 of FIG. 9 (see also FIG. 3) of Alter as constituting the first well required by claim 16, and to N+ sinker 24 of Alter as constituting the second well required by claim 16. N- epitaxial layer 14 and N+ sinker 24, however, can not be read to be the first and second wells because claim 16 requires that the first and second wells be spaced apart.

As shown in FIG. 9 (see also FIG. 3) of Alter, N- epitaxial layer 14 is not spaced apart from N+ sinker 24 as required by claim 16, but instead directly contacts N+ sinker 24. Thus, since N- epitaxial layer 14 and N+ sinker 24 can not be read to be the first and second wells, claim 16 is not anticipated by the Alter reference. In addition, since claim 17 depends from claim 16, claim 17 is not anticipated by Alter for the same reasons as claim 16. (Claim 17 was also amended to correct inadvertent errors.)

The Examiner also rejected claims 21 and 24 under 35 U.S.C. §102(b) as being anticipated by Menegoli (U.S. Patent No. 6,784,489 B1). As noted above, claims 21 and 24 have been cancelled.

The Examiner objected to claims 18, 19, 22, 23, and 25-29, but indicated that these claims would be allowable if rewritten to be in independent form including all of the limitations of the base claim and any intervening claims. Claims 18-19 have not been amended to be in independent form as it is believed that claim 16 is now patentable. (Claim 18 was amended to correct inadvertent errors.)

Claim 22 has been amended to be in independent form and is believed to include all of the limitations of claim 21. Claim 23 has not been amended to be in independent form as claim 23 depends from claim 22. Claim 25 has been amended to be in independent form and is believed to include all of the limitations from claims 21 and 24. Claim 29 has not been amended to be in independent form as claim 29 depends from claim 25. Claim 26 has also been amended to be in independent form and is believed to include all of the limitations from claims 21 and 24. In addition, claim 26 also includes newly added limitations for a third semiconductor region. Claims 27-28 have not been amended to be in independent form as claims 27-28 depend either directly or indirectly from claim 26.

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Thus, for the foregoing reasons, it is submitted that all of the claims are in a condition for allowance. Therefore, the Examiner's early re-examination and reconsideration are respectively requested.

Respectfully submitted,

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